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A.W.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Rodney L. Dockery et al.  
Serial No.: 08/813,852  
Filed: March 7, 1997  
Art Unit: 2167  
Examiner: F. Bartuska  
For: SYSTEM AND METHOD FOR PROMOTING STORES  
AND PRODUCTS

Commissioner for Patents  
Washington, D.C. 20231

I hereby certify that this correspondence is being facsimile transmitted to  
the United States Patent and Trademark Office on:

Date Transmitted: April 1, 2002

By: R. Ross Viguet  
R. Ross Viguet

SUPPLEMENTAL DECLARATION OF CALEB J. PIRTLE  
PROVIDING EVIDENCE OF COMMERCIAL SUCCESS UNDER 37 C.F.R. §1.132

I, Caleb J. Pirtle, being of legal age and capacity, upon personal knowledge, declare as follows:

1. My name is Caleb J. Pirtle.
2. Further to my declaration of March 8, 2002, I have attached letters from Dockery House clients Lifestyle Vacations Incentives, Consumer Solutions, and FirstUp, Inc. hereto as Attachments B, C, and D, as examples of client feedback supporting my conclusion that the success of the sales of promotional magazine programs implementing the Dockery House invention over conventional magazine programs is attributable to the unique use of feature articles that incorporate information collected about a particular brand of product, references that product brand, and includes corresponding coupons.
3. All statements made herein are of my own knowledge and are believed by me to be true and correct; and further these statements were made with the knowledge that willful false

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statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application for patent commented on herein.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April, 2002

  
\_\_\_\_\_  
CALEB J. PIRTLE

MAR-28-2002 05:06

DOCKERY HOUSE PUBLISHING

214 638 4049 P.02/05



March 18, 2002

Mr. Rodney L. Dockery  
Dockery House Publishing, Inc.  
1720 Regal Row, Suite 112  
Dallas, TX 75235

Dear Rodney:

We at Lifestyle Vacation Incentives are pleased to be moving to Dockery House Publishing promotional magazines to take advantage of the unique way in which Dockery House Publishing provides a promotional magazine in which general interest articles incorporate a product being promoted, as well as includes coupons for the promoted products corresponding to these articles. Although we have used other promotional magazine programs in the past, none of the promotional magazines provided product placements in the general interest articles and corresponding coupons. Our information indicates that Dockery House Publishing promotional magazine technique results in increased coupon redemption rates and, therefore, we have decided to utilize Dockery House Publishing technique over the traditional promotional magazines we have used in the past.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Stone", with a long horizontal line extending to the right.

Jeff Stone  
Chief Operating Officer

220 Congress Park Drive - Delray Beach, Florida 33446 - Tel 561/330-3350 - Fax 561/330-3369

MAR-28-2002 05:07

DOCKERY HOUSE PUBLISHING

214 638 4049 P.04/05

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## Consumer Solutions

Mr. Rodney L. Dockery  
Dockery House Publishing, Inc.  
1720 Regal Row, Suite 112  
Dallas, Texas 75235

March 12, 2002

Dear Rod:

When promoting the products and services of Consumer Solutions, we were trying to find a unique and innovative way to deliver our message to a targeted audience, thereby giving us the opportunity increase our sales in the national marketplace. Your promotional magazine program can make that a real possibility.

We have considered custom publishing before. But those custom publishers with whom we met only seemed to be interested in developing a magazine that was far too general to meet our needs. Those publishers simply recycle old articles they have produced for other publications rather than focus on the critical marketing job that we want done for Consumer Solutions.

Your concept, on the other hand, allows us to work with you to create a strong win-win package for our company, our advertisers, and, most of all, our customers. Your editorial staff works closely with us to tailor original articles and photography that showcase our products, providing discount coupons that effectively tie the stories and the advertising together, providing our customers with a reason to use our products and a way to buy them at a discounted price. That gives us a great way to introduce new products. Although your targeted publications read and look like real magazines, that give us the marketing tools that we have always needed to succeed in a competitive market.

Thanks for making a difference.

Sincerely,



Ken Summers  
President

5840 Spring Valley Rd. Suite 1804

Dallas TX 75240

TEL: (972) 881-3131 FAX: (972) 774-8585

MAR-28-2002 05:07

DOCKERY HOUSE PUBLISHING

214 638 4049 P.05/05

# FirstUp

INCORPORATED

*Real Estate Marketing*

February 27, 2002

Rod Dockery  
President & CEO  
Dockery House Publishing  
1720 Regal Row  
Dallas, Texas 75235

Dear Mr. Dockery:

First Up had the same problem that confronts every other company. How can we separate ourselves from our competitors? How can we market our company and our products better than anyone else in the industry? How can we position First Up as the qualified leader in our individual market niche?

You and your magazine program gave us the answer.

As a result, we are delighted to announce that Dockery House will be our publisher of choice because you are giving us something that other custom publishers wouldn't or couldn't do. Your magazine provides our readers with a reason to use the products we sell. Your magazine gives our suppliers a wonderful opportunity to partner with us in the marketing of those products. And, by using your creative discount coupon program, our readers are persuaded to try those products they've perhaps never used before.

Thanks for giving us the opportunity to be an important part of your magazine family. I only wish we had found you years earlier.

Best regards,



Roger King  
President

P.O. Box 802876 • Dallas, TX 75240

TOTAL P.05